

## **REMARKS**

The Official Action mailed February 14, 2006 has been carefully considered. Reconsideration and allowance of the subject application, as amended, are respectfully requested. The claims have been amended to overcome the Examiner's formal objections thereto, to further define the invention over the art. No new matter has been added to the subject application as a result of the changes made thereto.

The undersigning attorney wishes to thank Examiner Tibbits for her thoughtful comments during the telephonic interview held on April 20, 2006. During that interview the parties discussed the amendments made herein vis-à-vis the art of record.

Turning first to the Examiner's objections to the specification, the Examiner asserts in paragraph 1, page 2, that "the original specification is objected to as failing to provide proper antecedent basis for the claimed subject matter "fixed DC power source", "controllable DC power source." " In that regard, Applicants respectfully draw the Examiner's attention to, for example, page 10, lines 5-9 which describe a "controllable DC power source 104". Additionally, Applicants respectfully draw the Examiner's attention to page 15, lines 18 & 19 which describe the "fixed adapter 302". These terms are used numerous times throughout the specification. Thus, it is respectfully submitted that there is ample support in the specification for a "fixed DC power source" and a "controllable DC power source".

Moreover, Applicants draw the Examiner's attention to Application Serial No. 09/960,453 (now U.S. Patent No. 6,741,066) and Provisional Application No. 60/234,442.

Both of these applications describe, for example, in Figures 1 and 2 a conventional (i.e. "fixed") AC adapter 12 and an externally controlled (i.e. "controllable") AC adapter 32. Thus, it

is respectfully submitted that there is ample support throughout the priority chain of the present application for a “fixed DC power source” and a “controllable DC power source”.

The Examiner’s comments regarding the priority date of this application, as set forth in paragraph 3, page 2 of the Official Action are noted. In view of the comments set forth above, Applicants submit there is support for the objected subject matter.

### **Rejections Under 35 USC § 102**

Turning now to the rejections on the art, claims 1-6 stand rejected under 35 USC § 102(b) as being anticipated by Williams (U.S. Patent No. 5,536,997). It is noted that claim 6 has been cancelled per this amendment, and thus, Applicants respond as follows with respect to the invention of independent claim 1.

Williams discloses a switch that is capable of blocking bidirectional current. Referring to, for example, the discussion of figures 1 and 3 found at columns 1 and 2 of the Williams reference, Williams discloses:

In the operation of this multiple battery arrangement, only one of switches S1, S2, and S3 would normally be closed at any given time. The remaining switches would be open. When power is supplied by primary battery B1, for example, switch S1 is closed and switches S2 and S3 are open. [Column 1, lines 48-52]

Importantly, nowhere does Williams disclose or suggest a parallel power supply arrangement in which a controllable DC power source and a rechargeable battery are in parallel to supply power to a load. Indeed, the discussion in the Williams reference regarding the topologies shown in Figure 2 describes that switches S1, S2 and S3 are not closed simultaneously to provide a parallel power supply mode.

In contrast, Applicants' invention of independent claim 1 requires "wherein when said first and second switches are closed said controllable DC power source and said rechargeable battery are in a parallel supply mode to permit both said controllable DC power source and said rechargeable battery to supply power to said system load." (Claim 1, as amended). The remaining claims presented in this case depend directly or indirectly from the invention of independent claim 1, and thus, must be read as incorporating the limitations of claim 1. 35 USC § 112, 4<sup>th</sup> paragraph.

Thus, it is respectfully submitted that Williams fails to teach a parallel supply mode, and thus, cannot anticipate Applicants' invention of independent claim 1. Accordingly, it is respectfully submitted that the Examiner's rejection of Claims 1-6 under 35 USC § 102(b) as being anticipated by Williams is in error, and should be withdrawn.

### **Rejections Under 35 USC § 103**

Claims 7-13 stand rejected under 35 USC § 102(b) as being anticipated by Williams as described above in view of GB-2303979. As an initial matter, Applicants assume that the Examiner mistakenly applied the combination of Williams and GB-2303979 under 102(b) and rather, meant to apply these references in combination under 35 USC § 103. That being the case, Applicants respectfully submit this rejection is in error.

As set forth above, Williams fails to disclose or suggest the concept of a parallel power supply mode in which a controllable DC power supply and a battery are permitted to supply power to a system load simultaneously. GB-2303979 appears to suffer from the same deficiencies. It is Applicants' understanding that nowhere does GB-2303979 disclose or suggest

providing a rechargeable battery and a controllable DC power supply in parallel to supply power to a load.

Further, claim 7 has been cancelled per this amendment, and the remaining claims have been made dependent, either directly or indirectly, from Applicants' invention of independent claim 1. Accordingly, it is respectfully submitted that the Examiner's rejection of claims 7-13 under 35 USC § 103 as being obvious over Williams in view of GB-2303979 is in error and should be withdrawn.

Having dealt with all the objections raised by the Examiner, it is respectfully submitted that the present application, as amended, is in condition for allowance. Thus, early allowance is earnestly solicited.

If the Examiner desires personal contact for further disposition of this case, the Examiner is invited to call the undersigned Attorney at 603.668.6560.

In the event there are any fees due, please charge them to our Deposit Account No. 50-2121.

Respectfully submitted,

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